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Local Control Works For CNMI

Dear Colleague:

I commend to your attention the attached article which appeared in Monday's *Washington Times*. The author of the article correctly makes the case that our current immigration policy toward the Commonwealth of the Northern Mariana Islands (CNMI) has been very successful, and efforts before Congress to alter the policy could have devastating effects for that territory.

Sincerely,

A handwritten signature in black ink, appearing to read "John", written over the printed name.

JOHN T. DOOLITTLE
United States Representative

By Thomas L. Jipping

More power to the INS?

Legislation would undermine Mariana Islands

At a time when the Immigration and Naturalization Service (INS) is trying to return a little boy to communism, Senate Republicans are actually being asked to expand the scope of INS jurisdiction. A misguided effort in Congress would place the INS in control of the economic fate of a remote American territory with predictably devastating, and totally unnecessary, results.

The Commonwealth of the Northern Mariana Islands (CNMI) became an American possession in 1976. Its small population, geographic location, and limited resources make for a very fragile economy. These unique circumstances resulted in two very important provisions of the legislation creating this relationship. First, Congress granted the right to export products to the U.S. mainland without tariffs. Second, Congress gave the CNMI authority over immigration.

These ground rules have helped the CNMI experience significant economic growth, outperforming other U.S. territories and Western Pacific countries, through development of the apparel and tourism industries. More than 70 percent of permanent residents owe their livelihood to these two industries and the majority of businesses are owned by U.S. citizens. Since last year's Asian economic crisis and the General Agreement on Tariffs and Trade (GATT) are dealing a blow to the apparel industry, changes in economic or immigration policy forced upon the CNMI by Congress could be devastating.

A bill coming up in the Senate today, S. 1052, would renege on the 1976 law creating the CNMI-U.S. rela-

tionship and apply the Immigration and Nationality Act to the CNMI. This would have several negative results. First, as a 1999 U.S. Department of the Interior report concluded, "the economy of the Northern Marianas would be seriously damaged, and... the standard of living of the U.S. citizens residing there would suffer tremendously. Major existing industries could virtually collapse, leaving few sources of export earnings. The economy would be sent into a catastrophic contraction." Second, the bill would turn the CNMI into a magnet for asylum-seekers.

Under the policy set by the CNMI, aliens are not today eligible to apply for asylum in the United States. By contrast, Guam — a Pacific territory where this same U.S. immigration does apply — has seen an influx of Chinese smugglers of human cargo, a crisis resembling the Haitian migration emergency of 1991-92. When the INS struggled to address the situation, it asked the CNMI to handle many of the Chinese migrants. Why? Because the CNMI's policy allowed them to quickly process and deport these aliens — precisely the policy they wish to maintain today. Those handled in Guam, meanwhile, remained there or in U.S. jails — precisely the situation the CNMI wishes to avoid by staying free from U.S. immigration law.

Third, S. 1052 would unnecessarily increase already record-high legal immigration into the United States. The CNMI's own policy allows them to employ temporary foreign workers who eventually go home. Forcing federal immigration in its place would

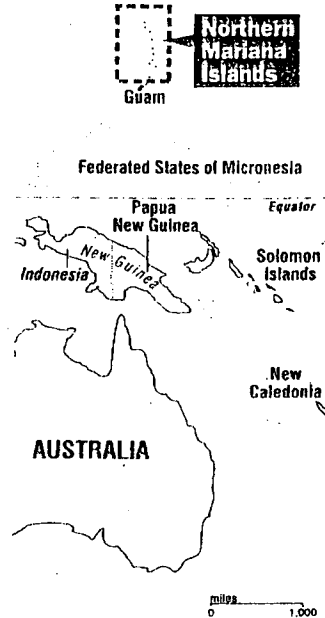
allow those workers to get on the track headed for U.S. citizenship.

In addition to being bad policy, the bill is also the product of strange politics. For example, the bill has so far been handled by the Energy and Natural Resources Committee. For reasons that remain unclear, the Judiciary Subcommittee on Immigration has not even seen this immigration bill. At the same time, officials at the Interior Department's Office of Insular Affairs are actually being inves-

tigated for illegally assisting the campaigns of Democratic opponents of Republicans who have criticized an immigration sellout of the CNMI.

House Resources Committee Chairman Don Young led a fact-finding delegation to the CNMI and, after hearings, concluded that the new reform government should be allowed to address local problems and continue setting local policy. The Senate committee, in contrast, appears to have pursued a preconceived agenda of criticizing and undermining the CNMI economy and culture. Curiously, the staffer principally responsible for this liberal bill in fact worked for the Democrats on the committee for many years before Republicans became the majority. Beyond the policy arguments against S.1052, enacting any bill promoted by such strange political tactics seems highly dubious. Local control over immigration is just as important for the CNMI as it was when Congress granted that control nearly a quarter-century ago.

In fact, recent economic and trade developments suggest that local control is even more necessary. The Clinton administration itself predicts that applying U.S. immigration law would have devastating economic consequences. In addition, it would turn a stable and workable situation utilizing foreign workers into nothing but a pass-through for more immigrants and asylum-seekers. Not only is there no reason to inject the scandal-plagued INS into this situation, there are compelling reasons to avoid another federal "solution" for a problem that does not exist.



Thomas L. Jipping is director of the Free Congress Foundation's Center for Law & Democracy.